

contract award to reflect any substantive change in the bids received as compared to the SHA's estimated cost of the project at the time of FHWA authorization, provided that Federal funds are available.

(3) Federal participation is limited to the agreed Federal share of eligible costs incurred by the State, not to exceed the maximum permitted by enabling legislation.

(g) The State may contribute more than the normal non-Federal share of title 23, U.S.C., projects. In general, financing proposals that result in only minimal amounts of Federal funds in projects should be avoided unless they are based on sound project management decisions.

Subpart B—Plans, Specifications, and Estimates

SOURCE: 43 FR 58564, Dec. 15, 1978, unless otherwise noted.

§ 630.201 Purpose.

The purpose of this subpart is to prescribe Federal Highway Administration (FHWA) procedures relating to the preparation, submission, and approval of plans, specifications and estimates (PS&E), and supporting documents for Federal-aid projects.

§ 630.203 Applicability.

The provisions of this regulation apply to all highway construction projects financed in whole or in part with Federal-aid highway funds and to be undertaken by a State or political subdivision, except for projects carried out pursuant to 23 U.S.C. 117 relative to certification acceptance or a secondary road plan.

§ 630.205 Preparation, submission, and approval.

(a) The contents and number of copies of the PS&E assembly shall be determined by the FHWA.

(b) Plans and specifications shall describe the location and design features and the construction requirements in sufficient detail to facilitate the construction, the contract control and the estimation of construction costs of the project. The estimate shall reflect the anticipated cost of the project in suffi-

cient detail to provide an initial prediction of the financial obligations to be incurred by the State and FHWA and to permit an effective review and comparison of the bids received.

(c) PS&E assemblies for Federal-aid highway projects shall be submitted to the FHWA for approval.

(d) The State highway agency (SHA) shall be advised of approval of the PS&E by the FHWA.

(e) No project or part thereof for actual construction shall be advertised for contract nor work commenced by force account until the PS&E has been approved by the FHWA and the SHA has been so notified.

Subpart C—Project Agreements

SOURCE: 62 FR 6872, Feb. 14, 1997, unless otherwise noted.

§ 630.301 Purpose.

The purpose of this subpart is to prescribe the procedures for the execution of the project agreement required by 23 U.S.C. 110(a) for Federal-aid projects, except for forest highway projects pursuant to 23 U.S.C. 204, and for non-highway public mass transit projects administered by the Federal Transit Administration.

§ 630.303 Preparation of agreement.

(a) The State highway agency (SHA) shall prepare a project agreement for each Federal-aid highway and FHWA planning and research project eligible for Federal-aid funding.

(b) The SHA may develop the project agreement in a format acceptable to both the SHA and the FHWA provided the following are included:

(1) A description of the project location including State and project termini;

(2) The Federal-aid project number;

(3) The phases of work covered by the agreement along with the effective date of authorization for each phase;

(4) The total project cost and amount of Federal funds under agreement;

(5) A statement that the State accepts and will comply with the agreement provisions set forth in 23 CFR 630.307;

(6) A statement that the State stipulates that its signature on the project